

REMARKS/ARGUMENTS

The foregoing amendment and the following arguments are provided to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art. A Notice of Appeal is respectfully submitted with this amendment and response.

35 U.S.C. § 102(b) Rejections

Examiner rejected claims 1-7, 9-11, 16, 19, 20, 31-32, and 34-35 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,760,636 (hereinafter "Noble").

To anticipate a claim, the reference must teach every element of the claim. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (Manual of Patent Examining Procedures (MPEP) ¶ 2131.)

Applicant's independent claims include limitations not disclosed nor suggested by Noble. Therefore, applicant's independent claims are not anticipated by Noble.

In particular, applicant's independent claims 1 and 31 include the limitation, or limitation similar thereto, of:

a controller to transition, in response to the power management event, a first setting of the processor from a first performance mode to a second performance mode, including to raise a processor supply voltage level from a first voltage level to a second voltage level, and then to raise the processor clock frequency from a first frequency level to a second frequency level, the processor to remain in an active mode during the voltage level transition, *wherein during the frequency level transition the processor is to be placed in a sleep state of and not a deep sleep state, a core processor clock remains active during the sleep state.* (emphasis added). (Applicant's claim 1).

As well, applicant's independent claims 11 and 34 include the limitation, or limitation similar thereto, of:

a controller to transition the processor, in response to the power management event, to lower a core processor clock frequency from a first frequency to a second frequency, and to lower a core processor supply voltage level from a first voltage level to a second voltage level, the processor to remain in an active mode during the voltage level transition, ***wherein during the frequency level transition the processor is to be placed in a sleep state of and not a deep sleep state, the core processor clock to remain active during the sleep state.*** (emphasis added). (Applicant's claim 11).

The Examiner states that Noble (Col. 7, lines 1-9) discloses, "wherein during the frequency level transition the processor is to be placed in a sleep state of and not a deep sleep state, the core processor clock to remain active during the sleep state" of the independent claims. Applicant respectfully disagrees. Col. 7, lines 1-9 of Noble (as cited by the Examiner) discloses, "operation of the processor is halted during the transition period." Noble fails to disclose or suggest that a processor clock remains active during the sleep state.

Therefore, considering applicant's independent claims include limitations that are not disclosed nor suggested by Noble, applicant's independent claims are not anticipated by Noble.

Furthermore, the remaining claims that were also rejected as being anticipated by Noble, depend from one of the independent claims discussed above and therefore also include the distinguishing claim limitations. As a result, the remaining claims are also not anticipated by Noble.

35 U.S.C. 103(a) Rejections

The Examiner rejected claims 8, 18, 21, 29, 33 and 36 under 35 U.S.C. 103(a) as being unpatentable over Noble, et al. U.S. Patent 5,760,636 (hereinafter "Noble") in view of U.S. Patent 6,311,281 (hereinafter "Pole").

Independent claim 21 includes the limitation:

wherein during the frequency level transition the processor is to be placed in a sleep state of and not a deep sleep state, a core processor clock remains active during the sleep state.

As discussed above, Noble does not disclose this limitation. Further, Pole does not disclose or suggest this limitation of claim 21. As such, the combination of Noble and Pole do not make independent claim 21 obvious.

Furthermore, the remaining claims that were also rejected as being obvious by Noble and Pole depend from independent claim 21 and therefore also include the distinguishing claim limitations. As a result, the remaining claims are also not made obvious by Noble and Pole.

CONCLUSION

Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call John Ward at (408) 720-8300, x237.

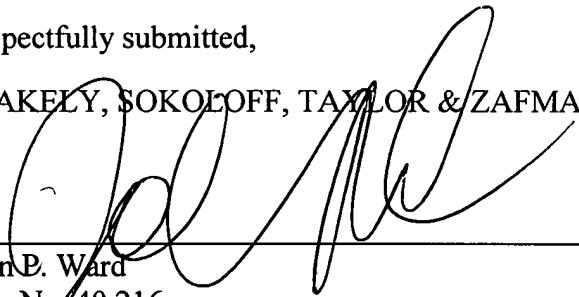
Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: _____

11/4/09



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